

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF (Name): PROPOSED CONSERVATEE	
PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE <input type="checkbox"/> Limited Conservatorship	CASE NUMBER:

1. **Petitioner (name):**

requests that

a. (Name and address):

(Telephone):

be appointed ☐ conservator ☐ limited conservator of the PERSON of the proposed conservatee and Letters issue upon qualification.

b. (Name and address):

(Telephone):

be appointed ☐ conservator ☐ limited conservator of the ESTATE of the proposed conservatee and Letters issue upon qualification.

- c. (1) ☐ bond not be required ☐ because proposed conservator is a corporate fiduciary or an exempt government agency ☐ for the reasons stated in Attachment 1c.
- (2) ☐ bond be fixed at: \$ _____ to be furnished by an authorized surety company or as otherwise provided by law. (Specify reasons if the amount is different from the minimum required by Probate Code section 2320.)
- (3) ☐ \$ _____ in deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):
- d. ☐ orders authorizing independent exercise of powers under Probate Code section 2590 be granted. (Specify powers and reasons in Attachment 1d.)
- e. ☐ orders relating to the capacity of the proposed conservatee under Probate Code section 1873 or 1901 be granted. (Specify orders, facts, and reasons in Attachment 1e.)
- f. ☐ orders relating to the powers and duties of the proposed conservator of the person under Probate Code sections 2351–2358 be granted. (Specify orders, facts, and reasons in Attachment 1f.)
- g. ☐ the proposed conservatee be adjudged to lack the capacity to give informed consent for medical treatment or healing by prayer and that the proposed conservator of the person be granted the powers specified in Probate Code section 2355.
- h. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the person under Probate Code section 2351.5 be granted. (Specify powers and duties in Attachment 1h.)
- i. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the estate under Probate Code section 1830(b) be granted. (Specify powers and duties in Attachment 1i.)
- j. ☐ (for limited conservatorship only) orders limiting the civil and legal rights of the proposed limited conservatee be granted. (Specify limitations in Attachment 1j.)
- k. ☐ orders related to dementia treatment or placement as specified in the Attachment Requesting Special Orders Regarding Dementia (form GC-313) under Probate Code section 2356.5 be granted.
- l. ☐ other orders be granted. (Specify in Attachment 1l.)

CONSERVATORSHIP OF (Name): <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div>	CASE NUMBER: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div>
PROPOSED CONSERVATEE	

2. **Proposed conservatee** is (name): _____ (Telephone): _____
 (Present address): _____

3. a. **JURISDICTIONAL FACTS** The proposed conservatee has no conservator within California and is a
- (1) ☐ resident of California and
 - (a) ☐ a resident of this county.
 - (b) ☐ not a resident of this county, but commencement of the conservatorship in this county is in the best interests of the proposed conservatee. *(Specify reasons in Attachment 3a.)*
 - (2) ☐ nonresident of California but
 - (a) ☐ is temporarily living in this county, **or**
 - (b) ☐ has property in this county, **or**
 - (c) ☐ commencement of the conservatorship in this county is in the best interests of the proposed conservatee. *(Specify reasons in Attachment 3a.)*

- b. **Petitioner**
- (1) ☐ is ☐ is not a **creditor** or an agent of a creditor of the proposed conservatee.
 - (2) ☐ is ☐ is not a **debtor** or an agent of a debtor of the proposed conservatee.

- c. **Proposed conservator is**
- (1) ☐ a nominee. *(Affix nomination as Attachment 3c.)*
 - (2) ☐ the spouse of the proposed conservatee.
 - (3) ☐ the domestic partner or former domestic partner of the proposed conservatee.
 - (4) ☐ a relative of the proposed conservatee as *(specify relationship):*
 - (5) ☐ a private professional conservator, as defined in Probate Code section 2341, who has filed with the county clerk the information statement required by Probate Code section 2342.
 - (6) ☐ other *(specify):*

- d. **Petitioner is**
- (1) ☐ the proposed conservatee.
 - (2) ☐ the spouse of the proposed conservatee.
 - (3) ☐ the domestic partner or former domestic partner of the proposed conservatee.
 - (4) ☐ a relative of the proposed conservatee as *(specify relationship):*
 - (5) ☐ a state or local public entity, officer, or employee.
 - (6) ☐ a bank ☐ other entity authorized to conduct the business of a trust company.
 - (7) ☐ an interested person or friend of the proposed conservatee.
 - (8) ☐ a private professional conservator who has filed the information statement (Probate Code, § 2342).
 - (9) ☐ the guardian of the proposed conservatee.

- e. **Character and estimated value of the property of the estate**
- | | | |
|---------------------------------|-----------|-----------------------|
| (1) Personal property: | \$ | (3) Real property: \$ |
| (2) Annual gross income from | | |
| (a) real property: | \$ | |
| (b) personal property: | \$ | |
| (c) pensions: | \$ | |
| (d) wages: | \$ | |
| (e) public assistance benefits: | \$ | |
| (f) other: | \$ | |
| Total of (1) and (2): | \$ | |

4. **Proposed conservatee**
- a. Proposed Conservatee ☐ is ☐ is not a patient in or on leave of absence from a state institution under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services *(specify state institution):*
 - b. Proposed conservatee ☐ is receiving or entitled to receive ☐ is neither receiving nor entitled to receive benefits from the Department of Veterans Affairs *(estimate amount of monthly benefit payable):* \$
 - c. Proposed conservatee ☐ is ☐ is not able to complete an affidavit of voter registration.

CONSERVATORSHIP OF <i>(Name)</i> : <div style="text-align: right;">PROPOSED CONSERVATEE</div>	CASE NUMBER:
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5. a. **Proposed conservatee**

- (1) ☐ is an adult.
- (2) ☐ will be an adult on the effective date of the order *(date)*:
- (3) ☐ is a married minor.
- (4) ☐ is a minor whose marriage has been dissolved.

b. **Proposed conservatee** requires a conservator and is

- (1) ☐ unable to properly provide for his or her personal needs for physical health, food, clothing, or shelter.
 Supporting facts are ☐ specified in Attachment 5b(1) ☐ as follows:

- (2) ☐ substantially unable to manage his or her financial resources or to resist fraud or undue influence.
 Supporting facts are ☐ specified in Attachment 5b(2) ☐ as follows:

☐ Continued on page 4.

CONSERVATORSHIP OF (Name): 	CASE NUMBER:
PROPOSED CONSERVATEE	

5. b. (2) (continued)

- c. ☐ **Proposed conservatee** voluntarily requests the appointment of a conservator. *(Specify facts showing good cause in Attachment 5(c).)*
- d. ☐ *Confidential Supplemental Information* (form GC-312) is filed with this petition. *(All petitioners must file this form except banks and other entities authorized to do business as a trust company.)*
- e. **Proposed conservatee** ☐ is ☐ is not developmentally disabled as defined in Probate Code section 1420 *(specify the nature and degree of the alleged disability in Attachment 5e).* Petitioner is aware of the requirements of Probate Code section 1827.5.
6. *(If either the **petitioner** or the **proposed conservator** is the spouse of the proposed conservatee, petitioner must answer a or b.)*
- a. ☐ The spouse is not a party to any action or proceeding against the proposed conservatee for legal separation, dissolution of marriage, annulment, or adjudication of nullity of their marriage.
- b. ☐ Although the spouse is a party to an action or proceeding against the proposed conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage, or has obtained a judgment in one of these proceedings, it is in the best interests of the proposed conservatee that:
- (1) ☐ a conservator be appointed.
- (2) ☐ the spouse be appointed as the conservator. *(If you checked item 6b(1) or (2) or both, specify the facts and reasons in Attachment 6b.)*
7. *(If either the **petitioner** or the **proposed conservator** is the domestic partner or former domestic partner of the proposed conservatee, petitioner must answer a or b.)*
- a. ☐ The domestic partner of the proposed conservatee has not terminated and does not intend to terminate the domestic partnership.
- b. ☐ Although the domestic partner or former domestic partner of the proposed conservatee has terminated or intends to terminate the domestic partnership, it is in the best interest of the proposed conservatee that:
- (1) ☐ a conservator be appointed.
- (2) ☐ the domestic partner or former domestic partner be appointed as the conservator. *(If you checked item 7b(1) or (2) or both, specify the facts and reasons in Attachment 7b.)*

CONSERVATORSHIP OF (Name): <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>	CASE NUMBER: <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>
PROPOSED CONSERVATEE	

8. ATTENDANCE AT HEARING **Proposed conservatee**

- a. ☐ will attend the hearing AND ☐ is the petitioner ☐ is not the petitioner
 AND ☐ has ☐ has not nominated the proposed conservator.
- b. ☐ is able but unwilling to attend the hearing AND ☐ does ☐ does not wish to contest the establishment of a conservatorship, ☐ does ☐ does not object to the proposed conservator,
 AND ☐ does ☐ does not prefer that another person act as conservator.
- c. ☐ is unable to attend the hearing because of medical inability. An affidavit or certificate of a licensed medical practitioner or an accredited religious practitioner is affixed as Attachment 8c.
- d. ☐ is not the petitioner, is out of state, and will not attend the hearing.

9. ☐ Granting the proposed conservator of the estate powers to be exercised independently under Probate Code section 2590 would be to the advantage and benefit and in the best interest of the conservatorship estate. Powers and reasons are specified in Attachment 9.

10. ☐ a. There is no form of medical treatment for which the proposed conservatee has the capacity to give an informed consent.
 b. A declaration executed by a licensed physician, stating that the proposed conservatee lacks the capacity to give informed consent for any form of medical treatment and giving reasons and the factual basis for this conclusion, ☐ is attached as Attachment 10 ☐ will be filed before the hearing.
 c. Proposed conservatee ☐ is ☐ is not an adherent of a religion that relies on prayer alone for healing, as defined in Probate Code section 2355(b).

11. ☐ Filed with this petition is a *Petition for Appointment of Temporary Conservator* (form GC-110).

12. ☐ The names, residence addresses, and relationships of the spouse and all relatives within the second degree of the proposed conservatee, so far as known to petitioner, are

- a. ☐ listed below ☐ listed in Attachment 12a.
 b. ☐ none.
 c. ☐ not known, so relatives under Probate Code section 1821(b)(1)–(4) are ☐ listed below ☐ listed in Attachment 12c.

	<u>Relationship and name</u>	<u>Residence address</u>
(1)		
(2)		

13. ☐ Filed with this petition is a proposed *Order Appointing Court Investigator* (form GC-330).

14. Number of pages attached: _____

Date:
 (All petitioners must also sign (Prob. Code, § 1020).)

 _____
 (SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME)

 _____
 (SIGNATURE OF PETITIONER)

 (TYPE OR PRINT NAME)

 _____
 (SIGNATURE OF PETITIONER)